

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RON H. GANYON,

Plaintiff,

v.

**Civil Action 2:12-cv-420
Judge Algenon L. Marbley
Magistrate Judge Elizabeth P. Deavers**

**MICHAEL J. ASTRUE,
COMMISSIONER OF SOCIAL SECURITY,**

Defendant.

ORDER

This matter is before the Court for consideration of the January 23, 2013 Report and Recommendation of the United States Magistrate Judge Elizabeth A. Preston Deavers, to whom this case was referred pursuant to 28 U.S.C. § 636(b). (ECF No. 18.) The Magistrate Judge recommended that the Court grant Plaintiff's Motion for an Award of Attorney Fees and Costs Pursuant to the Equal Access to Justice Act and award attorneys' fees and costs in the amount of \$2,946.42.

The Report and Recommendation specifically advises the parties that the failure to object to the Report and Recommendation within fourteen days of the Report results in a "waiver of the right to *de novo* review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court." (Report and Recommendation 3, ECF No. 18.) The time period for filing objections to the Report and Recommendation has expired. The Commissioner has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections has expired, the Court **ADOPTS** the Report and Recommendation. Accordingly, Plaintiff's Motion for an Award of Attorneys' Fees and Costs Pursuant to the Equal Access to Justice Act is **GRANTED**. (ECF No. 420.) Accordingly, Plaintiff is **AWARDED** attorneys fees' and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412, in the amount of \$2,946.42.

IT IS SO ORDERED.

s/Algenon L. Marbley
ALGENON L. MARBLEY
UNITED STATES DISTRICT COURT

DATED: February 25, 2013